

**VOTING MODERNIZATION BOARD  
BOARD MEETING MINUTES  
SECRETARY OF STATE AUDITORIUM  
June 6, 2002  
10:00 am**

**I. WELCOME AND ADMINISTRATION OF OATH OF OFFICE**

John Mott-Smith, Chief of the Elections Division for the Secretary of State introduces Secretary of State Bill Jones.

Secretary Jones – Welcomed everyone and administered the oath of office to Jim Cunneen, Michael Bustamante and John Perez (Barbara Alby and Tal Finney not present).

**II. CALL TO ORDER**

The meeting was called to order

**III. ROLL CALL AND DECLARATION OF QUORUM**

Present: Bustamante, Cunneen, Perez

Absent: Finney

Arrived During Meeting: Alby

A quorum was established.

**IV. ELECTION OF OFFICERS**

M/S Cunneen/Bustamante to nominate John Perez as Chairman and Barbara Alby as Vice Chair

Roll Call –     Barbara Alby – not present  
                     Michael Bustamante – Aye  
                     Jim Cunneen - Aye  
                     Tal Finney – not present  
                     John Perez - Aye

Motion passes.

Chairman Perez introduced Assemblyman Kevin Shelley, one the authors of AB 56 that placed Proposition 41 on the ballot. Mr. Shelley delivered brief remarks.

**V. PUBLIC COMMENT**

There was no public comment on items not on the agenda.

## **VI. NEW BUSINESS**

### **a. VOTING MODERNIZATION BOARD POLICIES AND PROCEDURES**

John Mott-Smith introduced the Secretary of State staff to the Board: Lou Dedier, Voting Systems Program Manager; Debbie Parsons, Executive Assistant; Jana Lean, Analyst, and attorneys Bill Wood, Steve Trout, Ken Davis, and Mike Stoker. Shannon Kauffman and Carol Fong from the SOS Management Services Division will also be available to assist the Board..

Chairman Perez opened the public hearing: no comments were received.

M/S Cunneen/Bustamante to adopt policies and procedures.

Aye:	Bustamante, Cunneen, Perez
Nay:	none
Not voting:	Alby, Finney

Motion passes.

### **b. OVERVIEW OF PROPOSITION 41**

Staff presentation explaining Proposition 41. Lou Dedier gave a description of voting systems currently certified for use in the State.

Chairman Perez opened the public hearing; no comments were received.

### **c. VOTING MODERNIZATION BOARD BUDGET AND STAFFING**

Staff presentation explaining the Memorandum of Understanding for the SOS to provide support services to the Board. Requests from the Board to the staff will be directed through the Chairman. The Secretary of State is absorbing the costs to provide assistance.

Chairman Perez opened the public hearing.

Public comments: John Tuteur, Napa County Registrar of Voters, requested a copy of the policies and procedures and Austin Erdman, Assistant Registrar of Voters from San Joaquin County, requested electronic copies of the policies and procedures be made available.

M/S Cunneen/Bustamante to adopt MOU.

Aye:	Bustamante, Cunneen, Perez
Nay:	none
Not voting:	Alby, Finney

Motion passes.

The Board directed staff to make meeting materials available on a web site, to advise counties and interested parties of the address of the web site, and to provide printed materials for persons who attend future meetings of the VMB.

#### **d. PROPOSITION 41 IMPLEMENTATION SCHEDULE**

Staff presentation of possible schedule for allocation of funds. This is one of the most important issues for the Board. Prop 41 doesn't specify a schedule for allocation of funds. Staff explains that counties need an aggressive schedule to modify and convert systems and train staff in order to have a successful conversion. Nine counties are required to replace their systems by March 2004.

There is federal legislation proposed that could provide money for voting equipment upgrades, but the federal bills will not intersect with this board. Secretary of State staff met with the Treasurer's office who indicated cash flow is not a problem. Board will make a decision on allocation of funds. Money will be available as soon as the VMB makes the allocations. The costs associated with issuing bonds are approximately \$5 million that will come out of the \$200 million bond money. Staff recommends significant opportunity in the allocation process for counties to advise Board of their needs and preferences. The recommendation from staff is that the VMB adopt an aggressive schedule to fairly and equitably distribute Proposition 41 funds to the counties as soon as possible. There is no deadline in the Proposition for the allocation of funds.

Chairman Perez opened the public hearing. Public comments from: Ed Johnston, Kern County, Debby Hench, San Joaquin County, Steve Rodermund, Orange County, Ann Reed, Shasta County, Ernie Hawkins, Sacramento County, Kristin Heffron, Los Angeles County, Larry Walker, San Bernardino County, and Michael Smith, Marin County. All comments were in support of the proposed aggressive implementation schedule.

M/S Cunneen/Bustamante to adopt the aggressive schedule.

Aye:	Bustamante, Cunneen, Perez
Nay:	none
Not voting:	Alby, Finney

Motion passes.

#### **e. APPLICATION AND AGREEMENT – CRITERIA FOR ALLOCATION OF FUNDS TO COUNTIES TO UPDATE VOTING SYSTEMS**

Staff explained that the Board will have to establish criteria for distribution of funds, and that staff has identified four options: 1. allocate funds based on a formula, 2. Determine that the intent of the Act was to upgrade and

modernize voting equipment and to give added weight to applications that meet this intent, 3. Establish a “first-come-first-serve” application process, or 4. Give priority to applications from the nine counties that are under court order to convert their voting systems.

Board Member Cunneen opened public hearing. Public comments from: Santa Clara County regarding concern that the amount they would receive under a formula allocation appears to not equal their projected cost; John Tuteur, Napa County, said the formula based system will drive counties and vendors to be more efficient and for the Board to please recognize “postal precincts”. Michael Smith, Marin County, supported formula, but polling places needs to be defined. They consolidate precincts. Theresa Nagel, Lassen County, said that a formula based allocation does not address counties in a growth mode. Steve Rodermund, Orange County, supports formula. Ryan Ronco, Placer County, didn’t factor population growth in initial estimate. Ed Johnston, Kern County, supports formula. Diane Jones, Solano County, which is one of the 9 counties whose voting equipment has been decertified, is against a formula based on polling places and favors priority being given to the nine Votomatic and Pollstar counties under court order to convert to new voting systems.

Chairman Perez closed public comment and established from John Mott-Smith that the number of voting booths in each polling place is up to the county to decide.

Barbara Alby arrived, Undersecretary Bob Jennings administered oath. Jim Cunneen departed. Quorum continued.

Michael Bustamante asked John Mott-Smith to provide the VMB with an analysis of various formula based approaches to allocating funds, and to possibly address future population growth in the counties. The Board will vote on criteria for allocation of funds at the next meeting on June 19, 2002.

#### **f. STATEMENT OF PLANS AND PROJECTS**

Staff reviewed the Voting Modernization Board Statement of Plans and Projects.

### **VII. ADJOURNMENT**

Chairman Perez would like to review items (e) and (f) on June 19, 2002. He thanked staff for all their hard work.

M/S Bustamante/Alby to adjourn.

Aye:	Alby, Bustamante, Perez
Nay:	None
Not Voting:	Cunneen, Finney

Chairman Perez adjourned the meeting at 12:20 p.m.

A tape transcript of the meeting is available on request.

Minutes submitted by Debbie Parsons

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